

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ELDON LEE SEXTON,

Plaintiff,

v.

OKLAHOMA D.O.C.,

Defendant.

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Case No. CIV-23-674-G

ORDER

Plaintiff Eldon Lee Sexton, a state inmate, filed this federal civil rights action on July 31, 2023. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Amanda Maxfield Green for preliminary review.

On September 20, 2023, Judge Green issued a Report and Recommendation (Doc. No. 10), in which she recommended this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b). In the Report and Recommendation, Judge Green advised Plaintiff of his right to object to the Report and Recommendation by October 11, 2023. Judge Green also advised that a failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation.¹

As of this date, Plaintiff has not submitted any objection to the Report and Recommendation or sought leave for additional time to do so.

¹ The Report and Recommendation was delivered to Plaintiff through U.S. Mail to his address of record and returned as undeliverable. *See* Doc. No. 12; LCvR 5.4. Plaintiff has not notified the Court of any further address change, as required by Local Civil Rule 5.4.

CONCLUSION

Accordingly, the Report and Recommendation (Doc. No. 12) is ADOPTED in its entirety. This action is DISMISSED without prejudice. A separate judgment shall be entered.

IT IS SO ORDERED this 3rd day of April, 2024.



CHARLES B. GOODWIN
United States District Judge